

DEPARTMENT OF SOCIAL SERVICES
744 P Street, Sacramento, California 95814

December 9, 1998

ALL COUNTY INFORMATION NOTICE NO: I-71-98

TO: ALL COUNTY WELFARE DIRECTORS

REASON FOR THIS TRANSMITTAL

- State Law Change
- Federal Law or Regulation Change
- Court Order or Settlement Agreement
- Clarification Requested by One or More Counties
- Initiated by CDSS

SUBJECT: CASH ASSISTANCE PROGRAM FOR IMMIGRANTS

REFERENCE: ACL 98-82

The purpose of this notice is to provide clarification of when an applicant for CAPI must be referred to the Social Security Administration (SSA), quick reference guides to help counties process the Cash Assistance Program for Immigrants (CAPI) applications, and to advise counties of federal legislation that affects CAPI.

SUPPLEMENTAL SECURITY INCOME/STATE SUPPLEMENTARY PAYMENT (SSI/SSP) PROGRAM REFERRALS

In ACL 98-82 under the sub-heading “Eligibility for Other Benefits”, we instructed counties that it was necessary to obtain verification from SSA that the applicant was ineligible for SSI/SSP due to his or her immigration status. There have been a number of questions and concerns raised about what type of verification is needed from SSA and when it is needed. Therefore, we are providing clarification and more specific directions on this issue.

FUTURE APPLICANTS

Except as provided below, counties shall assist applicants to complete an SSI/SSP application and an Interim Assistance Reimbursement (IAR) agreement concurrently with their CAPI application. Counties shall submit both the application and the IAR agreement to SSA. There must be evidence in the case file that these documents have been completed, signed by the applicant, and submitted to SSA before CAPI benefits may be issued.

CAPI applicants are not required to submit an SSI/SSP application if any of the following are documented in the case file:

1. Verification that an SSI/SSP application is currently pending; or
2. An informal denial letter (L-991), or other verification, from SSA issued after August 1, 1998 and within 6 months of the CAPI application, indicating the individual is ineligible for SSI/SSP due to his or her immigration status; or
3. A formal denial letter from SSA issued after August 1, 1998 and within 6 months of the CAPI application, indicating the individual is ineligible for SSI/SSP due to his or her immigration status; or
4. A county determination that the CAPI applicant is not a Qualified Alien, as defined in Public Law 104-193, and therefore not eligible for SSI/SSP. (See attached Alien/Immigrant Eligibility Chart).

EXISTING APPLICANTS

Counties shall notify any person who has already initiated the CAPI application process, but for whom an SSI/SSP application has not been submitted by the county as of the date of this ACIN, and who does not fall within one of the four above-stated exceptions, that they must by January 25, 1999, demonstrate to the county that they have applied for SSI/SSP.

Proof of application can include but is not limited to any of the following:

- A telephone verification with SSA; or
- Documentation that an SSI/SSP application was signed by the applicant and submitted to SSA by the county; or
- A receipt or other SSA document indicating that an application was filed.

For these applicants, if otherwise eligible, counties shall issue CAPI payments for December 1998 (if the application was filed in November 1998) and January 1999, even though an SSI/SSP application has not yet been filed. Counties must suspend CAPI benefits beginning March 1, 1999 for any applicant who does not submit this verification by January 25, 1999.

SSA's certification is only one component in the CAPI eligibility process. Counties are still responsible for ensuring that the applicant meets all other eligibility requirements such as immigration status, age, residence, income and resources. In fact, since CAPI benefits may be awarded while an SSI/SSP application is pending, it is increasingly critical for counties to accurately evaluate and document the applicant's immigration status for CAPI.

We will be issuing a revised All-County Letter to reflect this direction in the near future.

CAPI REFERENCE GUIDES

As discussed in ACL 98-82, individuals with a number of immigration statuses may be eligible for CAPI, and the amount of the CAPI payment is at least partially dependent on the person's living arrangement. Specifically, these charts provide information and guidance in determining the immigration status and proper living arrangement categories for CAPI applicants. These are reference guides only and are not intended to replace regulations or law.

The following reference Guides are attached:

- Check List for Determining Eligibility
- Alien/Immigrant Eligibility Chart
- Living Arrangement Guide

FEDERAL LEGISLATION (H.R. 4558)

Recently enacted federal legislation (H.R. 4558) extends indefinitely the Supplemental Security Income/State Supplementary Payment (SSI/SSP) eligibility of all non-citizens who were receiving SSI/SSP benefits on August 22, 1996. This means that there will be no transfer of SSI/SSP conversion cases from the Social Security Administration to the counties, aside from the few cases converted to CAPI on October 1, 1998.

Any questions regarding this information should be directed to Patty Russell, Chief of the Adult Programs Management Bureau, at (916) 229-4000.

Sincerely,

*Original Document Signed By Leonard Tozier for
Donna L. Mandelstam On December 9, 1998*

DONNA L. MANDELSTAM
Deputy Director
Disability and Adult Programs Division

Attachment

CASH ASSISTANCE PROGRAM FOR IMMIGRANTS (CAPI)
KEY REMINDERS

CHECK LIST FOR DETERMINING ELIGIBILITY

Basic Eligibility Requirements

- Applicant is aged, blind, or disabled.
- Evidence in file that applicant meets citizenship/immigrant requirements.
(See Alien/Immigrant Eligibility Chart)
- Counties shall assist applicants in completing a CAPI application, SSI/SSP application, and an Interim Assistance Reimbursement (IAR) agreement and shall submit both the application and the IAR agreement to the SSA.

or
- One of the following forms of documentation on SSI/SSP status must be in file:
 - Verification that an SSI/SSP application is currently pending; or
 - Informal denial letter (L-991) or other verification from SSA, in accordance with program requirements, indicating the individual is ineligible for SSI/SSP due to immigration status; or
 - Formal denial letter issued from SSA, in accordance with program requirements indicating the individual is ineligible for SSI/SSP due to immigration status; or
 - The county determines that the CAPI applicant is not a Qualified Alien and therefore not eligible for SSI/SSP.
- If applicable, does the applicant have a sponsor that is dead, disabled or abusive?

Income Requirements

Earned income (If any boxes are checked, additional development is needed.)
Does the applicant receive any of the following?

- Applicant's wages
- Spouse's wages
- Parent's wages (if minor child)
- Self-employment earnings (applicant or spouse)

Unearned income (If any boxes are checked, additional development is needed.)

Does the applicant receive any of the following?

- Social Security/VA benefits
- Pension/Retirement/Disability benefits
- Worker's Compensation
- Alimony/Support payments
- Inheritance/Gifts
- Annuities
- Interest/Royalties
- Stocks/bonds
- Lotto/Gambling/Prizes

In-Kind Support and Maintenance

Is the applicant receiving free food, clothing, or shelter? If yes, refer to living arrangement guide

Resource Requirements

Applicant meets resource requirements under the \$2,000/\$3,000 limit. (If any boxes are checked, additional development is needed.)

- Checking, savings, bonds, stocks, credit union accounts, etc.
- Life Insurance (cash surrender value)
- Real property not occupied by the recipient.
- Vehicles
- Burial Funds or Trusts in excess of \$1,500.

Deeming

DEEMING SITUATIONS (If any boxes are checked, additional development is needed.)

- From Ineligible Spouse, with whom applicant is living.
- From Parent to Child, with whom applicant is living.
- From Sponsor to Applicant

Living Arrangement

DEVELOP LIVING ARRANGEMENT
(Use Living Arrangement Worksheet.)

- Has the Restaurant Meals Allowance possibility been addressed?

Compute Payment Amount

- Determine CAPI payment.**
(Use Income Eligibility Worksheet)

ADDITIONAL CONSIDERATIONS

- Has the application been completed, dated, and signed?
- Have the supplemental forms been completed, dated, and signed?
- Has the SSI/SSP Interim Assistance Reimbursement Form been completed?
- Have the appropriate referrals been made?
(eg.: VA, SSA, SSI/SSP, Medi-Cal, Food Stamps, etc.)
- Have Changes to Report requirements been discussed with and signed by the applicant?
- Has the applicant's benefit payment amount been determined?

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
A U.S. citizen or national, or an American Indian born in Canada or member of a federally recognized Indian tribe	Potentially eligible.	<p>Not eligible. Refer to SSA to apply for SS/SSP.</p> <ul style="list-style-type: none"> • Birth Certificate • Citizenship or Naturalization Certificate or other document/certificate issued by INS that shows the place of birth. N-550 or N-570 (Naturalized citizen) N-560 or N-561 (derivative citizenship) I-179, I-197 still valid though discontinued in 1983.) • Tribal documents issued directly by the <u>individual's tribe</u>. Do not accept a Certificate of Indian Status card ("Band" card) which is issued by the Canadian Department of Indian Affairs. • For Canadian-born Indians any of the following may also be presented and are acceptable: I-551 with S-13 code Unexpired temporary I-551 stamp in a Canadian passport Unexpired temporary I-551 stamp on an I-94 Evidence of "one-half American Indian blood" 	<p>NOTE: It is not necessary to request these documents from the client. However, if presented with any of the above documents, refer to SSA.</p>

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is: QUALIFIED ALIENS	SSI Eligible	CAP! Eligible	*Documentation
Lawfully Admitted for Permanent Residence (LAPR) (Includes Amerasian immigrants and Special Agricultural Workers [SAWs])	<p>Potentially eligible if:</p> <ul style="list-style-type: none"> • Lawfully residing in the U.S. and was receiving SSI on August 22, 1996, or Blind, disabled and was lawfully residing in the U.S. on August 22, 1996, or Meets 40 QQ's requirement (See Qualifying Quarters Chart), or Veteran/active duty military member, or spouse/dependent child of living or deceased veteran/military member, or Granted Cuban/Haitian entrant status within last 7 years, or Entered U.S. as an Amerasian immigrant within last 7 years, or Entered U.S. as a refugee within last 7 years, or Granted status as asylee or deportation/removal withheld last 7 years. 	<p>Potentially Eligible only if one of the following applies:</p> <ol style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996 and is age 65 or older, or Entered the U.S. on or after August 22, 1996 and is sponsored <u>and</u> the Sponsor is deceased, or Sponsor is disabled, or Sponsor or sponsor's spouse is abusive to recipient. 2. Must meet all other SSI/SSP eligibility criteria. <p>Please contact CDSS if:</p> <ol style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was <u>not</u> lawfully residing in the U.S. on August 22, 1996, and is under age 65 and alleging blindness or disability. 	<ul style="list-style-type: none"> • I-551 which replaced the I-151, AR3 and AR3a I-151, AR3 and AR3a. • I-94 with a stamp that states "Temporary Form I-551 Admission for permanent residence at (port), (date), verified (date), (signature of issuing officer), (title)". • I-327 "Reentry Permit" which is given to an LPR when traveling outside of the U.S. for an extended period of time. • I-688EXT with label on back of form showing temporary evidence of LPR status. • Foreign passport stamped "Processed for I-551. Temporary evidence of lawful admission for permanent residence valid until _____ Employment authorized." (Per INS, this is documentation of permanent residence status, even if it is beyond the expiration date. • I-688 annotated "status has been granted pursuant to Section 210 INA. The 210 annotation will be in the "Bearer entitled to block" (SAWs)
Granted Cuban/Haitian entrant status. (Section 501(e) Refugee Education Assistance Act of 1980).	<p>Potentially eligible only if one of the following conditions exist:</p> <ol style="list-style-type: none"> 1. Granted immigration status within the last 7 years. Duration of eligibility is based on time remaining in 7-year period, or Lawfully residing in the U.S. and receiving benefits on August 22, 1996, or Blind or disabled and was 	<p>Potentially eligible after expiration of 7-year period of potential SSI/SSP eligibility if:</p> <ol style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 and is age 65 or older. <p>Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if:</p>	<ul style="list-style-type: none"> • I-94 ("Arrival/Departure Record") endorsed "Cuban/Haitian Entrant (Status Pending)" issued prior to 10/10/80. • INS form I-94 indicating that the bearer has been paroled pursuant to section 212(d)(5) of the INA. Cuban/Haitian Entrants have an I-94 with the legend "Cuban/Haitian Entrant (Status Pending) Reviewable January 15, 1981. Employment authorized until January 15, 1981." • I-551, status code CU6, CU7, or CH6

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
	<p>lawfully residing in the U.S. on August 22, 1996, or</p> <p>4. Veteran/Active Duty Military, or</p> <p>5. Spouse or dependent child of living or deceased veteran/military member</p>	<p>1. Entered the U.S. prior to August 22, 1996, but was not lawfully residing in the U.S. on August 22, 1996, and</p> <p>2. Is under age 65 and alleging blindness or disability.</p>	<ul style="list-style-type: none"> • Unexpired temporary I-551 stamp in a foreign passport. • Unexpired temporary I-551 stamp on Form I-94 with code CU6 or CU7. <p>Date status granted is the date of inspection on the stamp, if the passport is submitted. If the date is missing from the I-94 or only an I-551 is presented, verify status with INS.</p> <ul style="list-style-type: none"> • I-94 stamped with codes AM1, AM2, AM3. <p>The I-94 is stamped on the front. *Processed for I-551. Temporary evidence of lawful admission for permanent resident. Valid until _____ Employment authorized."</p> <p>The back of the I-94 will show the A-Number in box #20. A-Numbers in the immigrant services (beginning with 4) will be used. The unique identifier on the I-94 will appear in block #26, the comments section. An I-551 will be issued as soon as it can be manufactured and mailed.</p> <ul style="list-style-type: none"> • I-551 stamped with codes AM1, AM2, AM3, AM6, AM7, or AM8. • Foreign passport with unexpired temporary I-551 stamp showing AM6, AM7, or AM8 Vietnamese Exit Visa or Vietnamese Passport if stamped with AM1, AM2, or AM3. • NOTE: Date of admission is from the I-551, or the date of inspection on the stamp on the I-94. If no date on I-94, verify status with INS.
Entered U.S. as an Amerasian immigrant. (Section 584) (LAPR)	<p>Potentially eligible only if one of the following conditions exist:</p> <p>1. Granted immigration status within the last 7 years.</p> <p>Duration of eligibility is based on time remaining in 7-year period, or</p> <p>2. Lawfully residing in the U.S. and receiving benefits on August 22, 1996, or</p> <p>3. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996, or</p> <p>4. Veteran/Active duty military, or</p> <p>5. Spouse or dependent child of living or deceased veteran/military member.</p>	<p>Potentially eligible after expiration of 7-year period of potential SSI/SSP eligibility if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 and is age 65 or older. <p>Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if:</p> <ul style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was not lawfully residing in the U.S. on August 22, 1996, and 2. Is under age 65 and alleging blindness or disability. 	<ul style="list-style-type: none"> • I-94 stamped with codes AM1, AM2, AM3. <p>The I-94 is stamped on the front. *Processed for I-551. Temporary evidence of lawful admission for permanent resident. Valid until _____ Employment authorized."</p> <p>The back of the I-94 will show the A-Number in box #20. A-Numbers in the immigrant services (beginning with 4) will be used. The unique identifier on the I-94 will appear in block #26, the comments section. An I-551 will be issued as soon as it can be manufactured and mailed.</p> <ul style="list-style-type: none"> • I-551 stamped with codes AM1, AM2, AM3, AM6, AM7, or AM8. • Foreign passport with unexpired temporary I-551 stamp showing AM6, AM7, or AM8 Vietnamese Exit Visa or Vietnamese Passport if stamped with AM1, AM2, or AM3. • NOTE: Date of admission is from the I-551, or the date of inspection on the stamp on the I-94. If no date on I-94, verify status with INS.
Entered U.S. as refugee. (Section 207)	<p>Potentially eligible only if one of the following conditions exist:</p> <p>1. Granted immigration status within the last 7 years.</p>	<p>Potentially eligible after expiration of 7-year period of potential SSI/SSP eligibility if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to 	<ul style="list-style-type: none"> • I-551 with classification codes RE6, RE7, RE8, or RE 9. Date of admission as refugee is date of admission on I-551. • I-94 annotated w/stamp showing admission

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP! Eligible	*Documentation
	<p>Duration of eligibility is based on time remaining in 7-year period, or</p> <ol style="list-style-type: none"> 2. Lawfully residing in the U.S. and receiving benefits on August 22, 1996, or 3. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996, or 4. Veteran/Active duty military, or Spouse or dependent child of living or deceased veteran/military member. 5. Spouse or dependent child of living or deceased veteran/military member. 	<p>August 22, 1996 and is age 65.</p> <p>Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if:</p> <ol style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was not lawfully residing in the U.S. on August 22, 1996, and 2. Is under age 65 and alleging blindness or disability. 	<p>under 207 of INA. (If you depart the U.S., you will need prior permission from the INS to return.)</p> <ul style="list-style-type: none"> • I-633B annotated 274a.12(a)(3) • I-766 annotated A3 • I-571 Refugee Travel Document <p>If no admission date shown on documentation, verify with INS.</p>
Granted status as asylee. (Section 208)	<p>Potentially eligible only if one of the following conditions exist:</p> <ol style="list-style-type: none"> 1. Granted immigration status within the last 7 years. <p>Duration of eligibility is based on time remaining in 7-year period, or</p> <ol style="list-style-type: none"> 2. Lawfully residing in the U.S. and receiving benefits on August 22, 1996, or 3. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996, or 4. Veteran/Active duty military, or Spouse or dependent child of living or deceased veteran/military member. 5. Spouse or dependent child of living or deceased veteran/military member. 	<p>Potentially eligible after expiration of 7-year period of potential SSI/SSP eligibility if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 and is age 65 or older. <p>Must meet all other SSI/SSP eligibility requirements.</p> <p>Please contact CDSS if:</p> <ol style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was not lawfully residing in the U.S. on August 22, 1996, and 2. Is under age 65 and alleging blindness or disability. 	<ul style="list-style-type: none"> • INS form I-94 annotated with stamp showing grant of asylum under section 208 of the INA. • I-688B annotated 274.12a(a)(5), annotated "A5" or the alien's copy of the order from an immigration judge granting asylum or a copy of the grant letter from the Asylum Office of INS. • I-766 annotated "A5" or the alien's copy of the order from an immigration judge granting asylum or a copy of the grant letter from the Asylum Office of INS. • I-551 with INS codes AS6, AS7, or AS8 <p>Derive the date status granted for start of 7-year period from the date on the I-94 asylum stamp, the INS grant letter, or the court order. If not available, contact INS.</p>
A non-citizen whose deportation is being withheld under Section 243(h), or whose removal is being withheld under Section 241(b)(3) of the INA	<p>Potentially eligible only if one of the following conditions exist:</p> <ol style="list-style-type: none"> 1. Granted status within the last 7 years. Duration of eligibility is based on time remaining in 7- 	<p>Potentially eligible after expiration of 7-year period of potential SSI/SSP eligibility if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 and is age 	<ul style="list-style-type: none"> • The alien's copy of the order from an immigration judge showing deportation under section 243(h) has been withheld as in effect prior to 4/1/97, or of removal withheld under section 241(b)(3).

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
	<p>year period, or</p> <p>2. Lawfully residing in the U.S. and receiving benefits on August 22, 1996.</p> <p>3. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996.</p> <p>4. Veteran/Active duty military, or Spouse or dependent child of living or deceased veteran/military member.</p> <p>5.</p>	<p>65 or older.</p> <p>Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if:</p> <ul style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was <u>not</u> lawfully residing in the U.S. on August 22, 1996, and 2. Is under age 65 and alleging blindness or disability. 	<ul style="list-style-type: none"> • I-688B Form annotated "274a.12(a)(10)", or I-766 annotated "A10" Does not normally reflect the date of withholding. Request a copy of the court order. If not available, contact INS.
A non-citizen paroled into the United States for a period of at least one year. (Section 212(d)(5))	<p>Potentially eligible only if one of the following conditions exist:</p> <p>1. Lawfully residing in the U.S. and receiving benefits on August 22, 1996, or</p> <p>2. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996, or</p> <p>3. Veteran/Active duty military, or Spouse or dependent child of living or deceased veteran/military member.</p> <p>4.</p>	<p>Potentially eligible if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 <u>and</u> is age 65 or older. <p>Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if:</p> <ul style="list-style-type: none"> 1. Entered the U.S. prior to August 22, 1996, but was <u>not</u> lawfully residing in the U.S. on August 22, 1996, and 2. Is under age 65 and alleging blindness or disability. 	<p>NOTE: Do not establish parole status based on Forms I-688B and I-766 which do not indicate the length of the parole period. Verify status and parole period with INS.</p> <ul style="list-style-type: none"> • INS form I-94 indicating that the bearer has been paroled pursuant to section 212(d)(5) of the INA. Cuban/Haitian Entrants have an I-94 with the legend "Cuban/Haitian Entrant (Status Pending) Reviewable January 15, 1981. Employment authorized until January 15, 1981."
A conditional entrant admitted to the United States under Section 203(a)(7) of the INA as in effect before April 1, 1980.	<p>Potentially eligible only if one of the following conditions exist:</p> <p>1. Lawfully residing in the U.S. and receiving benefits on August 22, 1996.</p> <p>2. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996.</p>	<p>Potentially eligible if:</p> <ul style="list-style-type: none"> • Entered the U.S. prior to August 22, 1996 <u>and</u> is age 65 or older. <p>Must meet all other SSI/SSP eligibility criteria.</p>	<ul style="list-style-type: none"> • INS form I-94 bearing the stamp "REFUGEE-CONDITIONAL ENTRY" and a citation of the section of the INA. Section 203(a)(7) of the INA was made obsolete by the Refugee Act of 1980 (Public Law (P. L.) 96-212), and replaced by section 207 of the INA effective April 1, 1980. • I-688B annotated "274a.12(a)(3)"

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
	<p>3. Veteran/Active duty military, or 4. Spouse or dependent child of living or deceased veteran/military member.</p>	<p>Please contact CDSS if: 1. Entered the U.S. prior to August 22, 1996, but was <u>not</u> lawfully residing in the U.S. on August 22, 1996, and Is under age 65 and alleging blindness or disability.</p>	<ul style="list-style-type: none"> I-766 annotated "A3".
Battered spouse, child, child of a battered spouse, or parent of a child of U.S. citizen or LPR alien with a petition pending under sections 204(a)(1)(A) or (B) or 244(a)(3) of the INA	<p>Potentially eligible only if one of the following conditions exist: 1. Lawfully residing in the U.S. and receiving benefits on August 22, 1996. 2. Blind or disabled and was lawfully residing in the U.S. on August 22, 1996.</p> <p>3. Veteran/Active duty military, or 4. Spouse or dependent child of living or deceased veteran/military member.</p>	<p>Potentially eligible if: <ul style="list-style-type: none"> Entered the U.S. prior to August 22, 1996 <u>and</u> is age 65 or older. Must meet all other SSI/SSP eligibility criteria.</p> <p>Please contact CDSS if: 1. Entered the U.S. prior to August 22, 1996, but was <u>not</u> lawfully residing in the U.S. on August 22, 1996, and Is under age 65 and alleging blindness or disability.</p>	<ul style="list-style-type: none"> INS Form I-797 with Case Type I-360 or I-130 and Notice Type indicating "Approval Notice" or body of notice indicating that the <i>prima facie</i> determination is valid; or a final order from Immigration Judge or Board of Immigration Appeals granting (or establishing a <i>prima facie</i> case) suspension of deportation or cancellation of removal.
NON-QUALIFIED ALIENS (PRUCOL)	Not eligible	<p>Potentially eligible if: <ul style="list-style-type: none"> Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.</p>	<ul style="list-style-type: none"> INS form I-220-B pursuant to section 242 of the INA.
A non-citizen subject to an Order of Supervision.	Not eligible	<p>Potentially eligible if: <ul style="list-style-type: none"> Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.</p>	<ul style="list-style-type: none"> INS form I-94 and/or an I-210 letter indicating departure on a specified date (usually 3 months from date of issue). INS expects the alien's visa to be available within this time. If it is not, extensions will be granted until the visa is ready. Also indicated on these documents is the authorization for employment.

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
A non-citizen who has properly filed an application for an adjustment to lawful permanent resident status.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • INS form I-181 or passports will be stamped with either of the following, "adjustment application" or "employment authorized during status as adjustment applicant."
A non-citizen granted a stay of deportation for a specific period of time.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • Letter or a copy of the court order I-94
A non-citizen granted voluntary departure who is awaiting issuance of a visa, Section 242 of the INA.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • I-94 and/or an I-210 which indicates a departure within 60 days. This may be extended if the visa is not ready within the time allotted.
A non-citizen in deferred action status.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • I-210 or a letter indicating that the alien's departure has been deferred.
A non-citizen who entered and has continuously resided in the U.S. since before January 1, 1972 or any date established by Section 249 INA.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • Verification of residence in the U.S. Acceptable documents include: school records, marriage license, medical records, Driver's license, Social Security Records, insurance records, tax records, or other appropriate documentation.
A non-citizen granted a suspension of deportation whose departure INS does not contemplate enforcing pursuant to Section 244 INA.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • Letter/order from the immigration judge and an I-94 with employment authorized for 1 year. • An I-551 or I-151 after lawful permanent residence is granted.
A non-citizen granted an indefinite stay of deportation.	Not eligible	Potentially eligible if: <ul style="list-style-type: none">• Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria.	<ul style="list-style-type: none"> • I-94 and/or a Letter from INS

ALIEN/IMMIGRANT ELIGIBILITY CHART

If the individual is:	SSI Eligible	CAP Eligible	*Documentation
A non-citizen not in one of the above categories, who can show that: (1) INS knows he/she is in the United States; and (2) INS does not intend to deport him/her, either because of the person's status category or individual circumstances.	Not eligible	Potentially eligible if: <ul style="list-style-type: none"> Entered U.S. prior to August 22, 1996 Must meet all other SSI/SSP eligibility criteria. 	<ul style="list-style-type: none"> Many types of INS documentation including those listed above or various other forms or letters indicating the alien meets the definition of PRUCOL.
Other	Not eligible	Not eligible	Not applicable

* Documentation list is not necessarily all inclusive, if other documents are provided contact CDSS.

LEGEND:

INA	Immigration and Nationality Act	N-561	Replacement Certificate of Citizenship (when the original is lost)
I-94	Arrival/Departure Record (INS Form)	I-570	Replacement Certificate of Naturalization (when the original is lost)
I-179	Resident Citizen Identification Card (no longer issued but still valid)	I-571	Refugee Travel Document
I-197	Resident Citizen Identification Card (no longer issued but still valid)	I-688	Temporary Resident Card
I-551	INS card issued to aliens lawfully admitted for permanent residence.	I-688 EXT.	Label affixed to back of I-688 while awaiting the issuance of the I-551.
	There is also an I-551 stamp used as temporary evidence of immigration status while awaiting issuance of the I-551 card.	AR-3, AR-3a	INS issued these forms from 1941 through part of 1949. Treat same as I-551.
I-550	Certificate of Naturalization	PRUCOL	Permanently Residing Under Color of Law (Under SSI regulations in effect on August 21, 1996)
N-560	Certificate of Citizenship		

December 8, 1998

CASH ASSISTANCE PROGRAM FOR IMMIGRANTS LIVING ARRANGEMENT GUIDE*

(*Quick reference guide only; this is not intended to be an "all inclusive" reference for Legal definitions.)

Living Arrangement	Definition	Categories	Eligibility Factors	Additional Eligibility Considerations	Comments
Living in a Medical Facility	Residing in a facility providing food, shelter and medical care.	Medical Facility (Long-Term Care) Private insurance or Medi-Cal pays over 50%.	Since food and shelter are provided, eligible only for Title XIX Medical Facility Rate. (See CAPI Payment Standards chart.)		
		Convalescent Home (Skilled Nursing, Intermediate Care, etc.)	Eligible for Title XVI Medical Facility Rate only. See CAPI Payment Standards Chart.		
Living in a Public Institution	Residing in a facility providing food, shelter, and sometimes-medical care.	Incarceration (Jail, Prison, CYA, etc.)	Not eligible		
		Public Institution (State or VA Hospital)	Not eligible		
Board and Care Home, Residential Care Facility, Rest Home, Congregate Living Facility.	Licensed facility or certified residence providing non-medical care and supervision in addition to food and shelter.	Licensed Board and Care Facility	Eligible for Non-Medical Out-of-Home Care Rate. (See CAPI Payment Standards chart.)	• Verify license with Community Care Licensing (CCL).	
		County Certified private home of a relative or legal guardian.	Eligible for Non-Medical Out-of-Home Care Rate. (See CAPI Payment Standards chart.)	• May be subject to reduced Non-Medical Out-of-Home Care Rate if receiving in-kind room and board.	
Receiving care and supervision in the home of a relative or guardian.				• Obtain County Certification.	
Transient/Homeless	Does not have a physical residence, but must meet state residency requirements.	Does not maintain a home or consistently reside in a temporary shelter.	Eligible for Independent Living Arrangement.	• May also be eligible for Restaurant Meals Allowance (RMA).	<ul style="list-style-type: none"> • Inquire about RMA • Living in a temporary shelter is excludable from In-Kind Support and Maintenance.

Living Arrangement	Definition	Categories	Eligibility Factors	Additional Eligibility Considerations	Comments
Home Ownership	Recipient's (or couples) name is on the title or mortgage documents.	Resides in the home that they own.	Eligible for Independent Living Arrangement.	<ul style="list-style-type: none"> • Is someone other than the applicant paying for food or other household expenses? • May be subject to In-Kind Support and Maintenance rules. • May live alone or with others. • May be eligible for RMA. • Is this a Public Assistance household? 	<p>NOTE: If others are contributing towards the household expenses, consider In-Kind Support and Maintenance income subject to the Presumed Maximum Value (PMV).</p>
Rental Liability	Recipient(s) is responsible for rental payment. Name is on lease or rental agreement.	<p>Resides in a house or an apartment.</p> <p>Private Residence or Boarding House paying a flat fee for room and board.</p> <p>Room rental under a business-like arrangement.</p>	<p>Eligible for Independent Living Arrangement.</p>	<ul style="list-style-type: none"> • Is someone other than the applicant paying the rent? • May be subject to In-Kind Support and Maintenance rules. • May live alone or with others. • May be eligible for RMA. • Is this a Public Assistance household? 	<p>NOTE: If others are contributing towards the household expenses, consider In-Kind Support and Maintenance income subject to the Presumed Maximum Value (PMV).</p>
Living with Others	No ownership interest or rental liability.	Resides in a non-Public Assistance Household and receives free room and board . Does not pay pro-rata share for food and shelter.	Eligible for Household of Another reduced payment Standard. (See CAPI Payment Standards chart.)		<p>NOTE: In-Kind Support and Maintenance cannot be charged.</p>

Living Arrangement	Definition	Categories	Eligibility Factors	Additional Eligibility Considerations	Comments
Shared living arrangement with others.	Pays pro-rata share of household expenses. Pays for own food (no contribution for shelter).	Eligible for Independent Living Arrangement.	<ul style="list-style-type: none"> • May be subject to In-Kind Support and Maintenance Rules. • May be eligible for RMA. 		
	Pays for shelter (no contribution for food).	Eligible for Independent Living Arrangement.	<ul style="list-style-type: none"> • May be subject to In-Kind Support and Maintenance Rules. • May be eligible for RMA. 		
Public Assistance Household		Eligible for Independent Living Arrangement.	<ul style="list-style-type: none"> • Not subject to In-Kind Support and Maintenance from within the household. • May be eligible for RMA. 	<ul style="list-style-type: none"> • Proration of food and shelter expenses does not apply. 	